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WHITTLESTONE, INC.

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WHITTLESTONE, INC., a California
corporation,

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Plaintiff and Counter-Defendant,

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vs.

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HANDI-CRAFT COMPANY, a Missouri
corporation,

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Defendant and Counter-Claimant.

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Pursuant to Civil Local Rules 7-1(a)(5) and 7-12 and Federal Rules of Civil Procedure (“FRCivP”) 16(b)(4), Plaintiff/Counter-Defendant Whittlestone, Inc. and Defendant/Counter-Claimant Handi-Craft Company, by and through their counsel, hereby stipulate to the following:

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WHEREAS the original trial date of September 21, 2012 was vacated by the court on June 28, 2012 and reset for trial on October 21, 2013;

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WHEREAS because of date conflicts and medical issues the parties desire to reset the case for trial in late January or February, 2014;

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WHEREAS the parties, in accordance with the provisions of Title 28, U.S.C. Section

Case No. CV 08-04193 SBA

**STIPULATION AND ORDER TO
VACATE TRIAL DATE AND
TRANSFER THE CASE TO
MAGISTRATE JUDGE
JACQUELINE SCOTT CORLEY
FOR TRIAL**

1 636(c), hereby voluntarily consent to have a United States Magistrate Judge conduct any
2 and all further proceedings in the case, including trial, and order the entry of a final
3 judgment. Appeal from the judgment shall be taken directly to the United States Court of
4 Appeals for the Ninth Circuit;

5 **WHEREFORE** the parties, through their respective counsel, hereby stipulate and
6 agree to transfer the case to Magistrate Judge Jacqueline Scott Corley for trial, to be held
7 in late January or February, 2014, or as soon thereafter as her calendar will allow.

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9 **IT IS SO STIPULATED.**

10 MORGAN, FRANICH, FREDKIN & MARSH

11 /s/ Mark B. Fredkin
12 Dated: October 1, 2013 By: _____
13 Mark B. Fredkin
14 Attorneys for Plaintiff/Counter-Defendant
WHITTLESTONE, INC.

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16 BURNHAM BROWN
17 HERZOG CREBS, LLP

18 /s/ Michael A. Vitale
19 Dated: October 1, 2013 By: _____
20 Michael A. Vitale
21 Attorneys for Defendant/Counter-Claimant
HANDI-CRAFT COMPANY

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O R D E R

23 The Court having considered the stipulation of the parties, and good cause
24 appearing therefor,

25 **IT IS HEREBY ORDERED** that the pretrial and trial dates are vacated and the case
26 is transferred to Magistrate Judge Jacqueline Scott Corley to be set for trial in late January
27 or February, 2014, or as soon thereafter as her calendar will allow.

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.
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4 DATED: 10/1/2013
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HON. SAUNDRA B. ARMSTRONG
UNITED STATES DISTRICT JUDGE